



Sen. Kimberly A. Lightford

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LRB096 17378 JAM 40736 a

1 AMENDMENT TO HOUSE BILL 5065

2 AMENDMENT NO. _____. Amend House Bill 5065, AS AMENDED, by
3 replacing all of Section 3 with the following:

4 "Section 3. The Illinois Procurement Code is amended by
5 changing Section 15-25 as follows:

6 (30 ILCS 500/15-25)

7 (Text of Section before amendment by P.A. 96-795)

8 Sec. 15-25. Bulletin content.

9 (a) Invitations for bids. Notice of each and every contract
10 that is offered, including renegotiated contracts and change
11 orders, shall be published in the Bulletin, and all businesses
12 listed in the Department of Transportation's Disadvantaged
13 Business Enterprise Directory, the Department of Central
14 Management Services' Business Enterprise Program and Small
15 Business Vendors Directory, and the Capital Development
16 Board's Directory of Minority and Female Business Enterprises

1 shall be furnished written instructions and information
2 relative to registration on each Procurement Bulletin
3 maintained by the State. Such information shall be provided to
4 each business within 30 days after the business' notice of
5 certification or 30 days following the effective date of this
6 amendatory Act of the 96th General Assembly, whichever is
7 later. The applicable chief procurement officer may provide by
8 rule an organized format for the publication of this
9 information, but in any case it must include at least the date
10 first offered, the date submission of offers is due, the
11 location that offers are to be submitted to, the purchasing
12 State agency, the responsible State purchasing officer, a brief
13 purchase description, the method of source selection,
14 information of how to obtain a comprehensive purchase
15 description and any disclosure and contract forms, and
16 encouragement to prospective vendors to hire qualified
17 veterans, as defined by Section 45-67 of this Code, and
18 Illinois minorities, women, persons with disabilities, and
19 residents discharged from any Illinois adult correctional
20 center.

21 (b) Contracts let or awarded. Notice of each and every
22 contract that is let or awarded, including renegotiated
23 contracts and change orders, shall be issued to those
24 organizations submitting responses to the solicitations,
25 inclusive of the unsuccessful bidders, immediately upon
26 contract let and award. Failure to give that notice shall

1 ~~result in tolling the time for filing a bid protest published~~
2 ~~in the next available subsequent Bulletin, and the applicable~~
3 ~~chief procurement officer may provide by rule an organized~~
4 ~~format for the publication of this information, but in any case~~
5 ~~it must include at least all of the information specified in~~
6 ~~subsection (a) as well as the name of the successful~~
7 ~~responsible bidder or offeror, the contract price, the number~~
8 ~~of unsuccessful responsive bidders, and any other disclosure~~
9 ~~specified in any Section of this Code. This notice must be~~
10 ~~posted in the online electronic Bulletin prior to execution of~~
11 ~~the contract.~~

12 (c) Emergency purchase disclosure. Any chief procurement
13 officer, State purchasing officer, or designee exercising
14 emergency purchase authority under this Code shall publish a
15 written description and reasons and the total cost, if known,
16 or an estimate if unknown and the name of the responsible chief
17 procurement officer and State purchasing officer, and the
18 business or person contracted with for all emergency purchases
19 in the next timely, practicable Bulletin. This notice must be
20 posted in the online electronic Bulletin within 3 business days
21 after the execution of the contract.

22 (d) Other required disclosure. The applicable chief
23 procurement officer shall provide by rule for the organized
24 publication of all other disclosure required in other Sections
25 of this Code in a timely manner.

26 (e) The Department of Central Management Services, the

1 Capital Development Board, the Department of Transportation,
2 and the higher education chief procurement officer shall
3 provide the Procurement Policy Board with the information and
4 resources necessary, and in a manner, to effectuate the purpose
5 of this amendatory Act of the 96th General Assembly.

6 (Source: P.A. 94-1067, eff. 8-1-06; 95-536, eff. 1-1-08.)

7 (Text of Section after amendment by P.A. 96-795)

8 Sec. 15-25. Bulletin content.

9 (a) Invitations for bids. Notice of each and every contract
10 that is offered, including renegotiated contracts and change
11 orders, shall be published in the Bulletin, and all businesses
12 listed in the Department of Transportation's Disadvantaged
13 Business Enterprise Directory, the Department of Central
14 Management Services' Business Enterprise Program and Small
15 Business Vendors Directory, and the Capital Development
16 Board's Directory of Minority and Female Business Enterprises
17 shall be furnished written instructions and information
18 relative to registration on each Procurement Bulletin
19 maintained by the State. Such information shall be provided to
20 each business within 30 days after the business' notice of
21 certification or 30 days following the effective date of this
22 amendatory Act of the 96th General Assembly, whichever is
23 later. The applicable chief procurement officer may provide by
24 rule an organized format for the publication of this
25 information, but in any case it must include at least the date

1 first offered, the date submission of offers is due, the
2 location that offers are to be submitted to, the purchasing
3 State agency, the responsible State purchasing officer, a brief
4 purchase description, the method of source selection,
5 information of how to obtain a comprehensive purchase
6 description and any disclosure and contract forms, and
7 encouragement to prospective vendors to hire qualified
8 veterans, as defined by Section 45-67 of this Code, and
9 Illinois minorities, women, persons with disabilities, and
10 residents discharged from any Illinois adult correctional
11 center.

12 (b) Contracts let or awarded. Notice of each and every
13 contract that is let or awarded, including renegotiated
14 contracts and change orders, shall be issued to those
15 organizations submitting responses to the solicitations,
16 inclusive of the unsuccessful bidders, immediately upon
17 contract let and award. Failure to give that notice shall
18 result in tolling the time for filing a bid protest ~~published~~
19 ~~in the next available subsequent Bulletin, and the applicable~~
20 ~~chief procurement officer may provide by rule an organized~~
21 ~~format for the publication of this information, but in any case~~
22 ~~it must include at least all of the information specified in~~
23 ~~subsection (a), the name of the successful responsible bidder~~
24 ~~or offeror, the contract price, the number of unsuccessful~~
25 ~~responsive bidders, the information required in subsection (g)~~
26 ~~of Section 20-10 if applicable, and any other disclosure~~

1 ~~specified in any Section of this Code. This notice must be~~
2 ~~posted in the online electronic Bulletin no later than 10~~
3 ~~business days after the contract is awarded.~~

4 (c) Emergency purchase disclosure. Any chief procurement
5 officer or State purchasing officer exercising emergency
6 purchase authority under this Code shall publish a written
7 description and reasons and the total cost, if known, or an
8 estimate if unknown and the name of the responsible chief
9 procurement officer and State purchasing officer, and the
10 business or person contracted with for all emergency purchases
11 in the next timely, practicable Bulletin. This notice must be
12 posted in the online electronic Bulletin no later than 3
13 business days after the contract is awarded. Notice of a
14 hearing to extend an emergency contract must be posted in the
15 online electronic Procurement Bulletin no later than 5 business
16 days prior to the hearing.

17 (c-5) Business Enterprise Program report. Each purchasing
18 agency shall post in the online electronic Bulletin a copy of
19 its annual report of utilization of businesses owned by
20 minorities, females, and persons with disabilities as
21 submitted to the Business Enterprise Council for Minorities,
22 Females, and Persons with Disabilities pursuant to Section 6(c)
23 of the Business Enterprise for Minorities, Females, and Persons
24 with Disabilities Act within 10 business days after its
25 submission of its report to the Council.

26 (c-10) Renewals. Notice of each contract renewal shall be

1 posted in the online electronic Bulletin within 10 business
2 days of the determination to renew the contract and the next
3 available subsequent Bulletin. The notice shall include at
4 least all of the information required in subsection (b).

5 (c-15) Sole source procurements. Before entering into a
6 sole source contract, a chief procurement officer exercising
7 sole source procurement authority under this Code shall publish
8 a written description of intent to enter into a sole source
9 contract along with a description of the item to be procured
10 and the intended sole source contractor. This notice must be
11 posted in the online electronic Procurement Bulletin before a
12 sole source contract is awarded and at least 14 days before the
13 hearing required by Section 20-25.

14 (d) Other required disclosure. The applicable chief
15 procurement officer shall provide by rule for the organized
16 publication of all other disclosure required in other Sections
17 of this Code in a timely manner.

18 (e) The changes to subsections (b), (c), (c-5), (c-10), and
19 (c-15) of this Section made by this amendatory Act of the 96th
20 General Assembly apply to reports submitted, offers made, and
21 notices on contracts executed on or after its effective date.

22 (f) The Department of Central Management Services, the
23 Capital Development Board, the Department of Transportation,
24 and the higher education chief procurement officer shall
25 provide the Procurement Policy Board with the information and
26 resources necessary, and in a manner, to effectuate the purpose

1 of this amendatory Act of the 96th General Assembly.

2 (Source: P.A. 95-536, eff. 1-1-08; 96-795, eff. 7-1-10 (see
3 Section 5 of P.A. 96-793 for the effective date of changes made
4 by P.A. 96-795).) ".